

Appl. No. 10/667,187  
Amdt. dated 23 February 23, 2006  
Reply to Office Action mailed 11/23/05

### REMARKS

#### **I. Claim Status**

Prior to this amendment claims 1-12, 14 and 15 were pending in the above-identified application. Claims 9, 14 and 15 stand withdrawn. In this Amendment, claim 1 has been amended to amend the definition for the R<sup>1</sup> group. Accordingly, after entry of this Amendment, claims 1-12, 14 and 15 are pending in this case. The changes to the claims do not constitute the addition of new matter and full support for the changes may be found in the specification and claims as originally filed.

#### **II. Rejection Under 35 U.S.C. §112, Second Paragraph**

The examiner has rejected claims 1 under 35 U.S.C. §112, second paragraph, alleging that the terms 'acid' and 'ester' are ambiguous. This rejection is respectfully traversed. However, in order to advance the prosecution of this case Applicant has clarified that these terms refer back to the (C<sub>2</sub>-C<sub>6</sub>) acid, (C<sub>1</sub>-C<sub>6</sub>) ester of the previous line of the claim. Having clarified the ambiguity, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

#### **III. Rejection Under 35 U.S.C. §102(b)**

The examiner has rejected claims 1, 4, 10, 11, and 12 under 35 U.S.C. §102(b) as allegedly anticipated by Gellibert. This rejection is respectfully traversed.

Applicant has amended claim 1 to include in the proviso "that when R<sup>4</sup> is NH<sub>2</sub> and X is S, then R<sup>1</sup> is not an amino-substituted pyridyl or pyrimidinyl moiety, a pyridyl, pyrimidinyl, a naphthyridinyl moiety, or a quinoline moiety that is bonded to the thiazol moiety through the phenyl ring". In view of these amendments and remarks, Applicant respectfully requests this rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

#### **IV. Objection to Claims 2, 3 and 6-8**

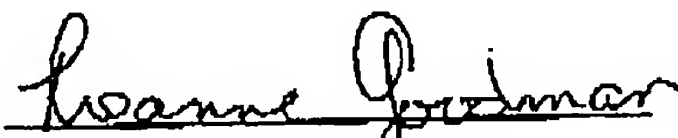
In view of the amendments to claim 1 upon which the objected to claims depend, Applicant respectfully requests the objection to these claims be withdrawn.

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It is respectfully submitted that the claims have been put in condition for allowance. Notification to this affect is earnestly solicited. The Examiner is encouraged to contact the Applicants' undersigned attorney at (734) 622-4182 to discuss this matter if any questions should arise upon further examination of the pending claims.

Respectfully submitted,

February 23, 2006  
Date

  
Rosanne Goodman  
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